



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ricky W. Purcell

Title: ADJUSTABLE TEMPERATURE HEAT PATCH

Docket No.: 1443.052US1

Serial No.: 10/650,407

Filed: August 27, 2003

Due Date: N/A

Examiner: Unknown

Group Art Unit: 3763

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 1 cited documents.
- Copy of Search Report from corresponding foreign application no. PCT/US2004/010158 (15 pgs.).

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

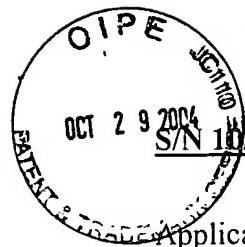
By: Andrew R. Peret
Atty: Andrew R. Peret
Reg. No. 41,246

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of October, 2004.

Nicole JAC
Name

APR 2004
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



OCT 29 2004
S/N 10/650,407

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ricky W. Purcell Examiner: Unknown
Serial No.: 10/650,407 Group Art Unit: 3763
Filed: August 27, 2003 Docket: 1443.052US1
Title: ADJUSTABLE TEMPERATURE HEAT PATCH

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

The attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the cited documents and the Search Report. The concise explanation and relevance of the non-English language documents is believed to be provided by the category listing, e.g. "A", "X", "Y", etc., on the enclosed Search Report according to MPEP 609.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,
RICKY W. PURCELL

By his Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(262) 646-7009

Date 10/22/04

By Andrew R. Peret

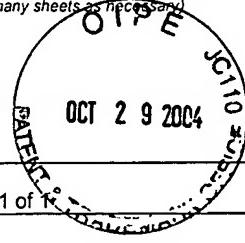
Andrew R. Peret

Reg. No. 41,246

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 day of October, 2004.

Nancy J. ...
Name

Max S.
Signature

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(Use as many sheets as necessary)</small>		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Application Number</td> <td colspan="4">10/650,407</td> </tr> <tr> <td>Filing Date</td> <td colspan="4">August 27, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td colspan="4">Purcell, Ricky</td> </tr> <tr> <td>Group Art Unit</td> <td colspan="4">3763</td> </tr> <tr> <td>Examiner Name</td> <td colspan="4">Unknown</td> </tr> </table>					Application Number	10/650,407				Filing Date	August 27, 2003				First Named Inventor	Purcell, Ricky				Group Art Unit	3763				Examiner Name	Unknown			
Application Number	10/650,407																														
Filing Date	August 27, 2003																														
First Named Inventor	Purcell, Ricky																														
Group Art Unit	3763																														
Examiner Name	Unknown																														
 Sheet 1 of 1		Attorney Docket No: 1443.052US1																													

US PATENT DOCUMENTS						
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2002/0119186A1	08/29/2002	Zhang, J. , et al.	424	449	06/11/2001
	US-4,106,478	08/15/1978	Higashijima, S.	149	15	04/09/1976
	US-6,436,020	08/20/2002	Weingand, K. W.	482	148	08/09/1999

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
	WO-180639	03/14/1935	Gutwirth, Karel			

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²

EXAMINER	DATE CONSIDERED
----------	-----------------

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached